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EVIDENCE

IN THE INVESTIGATION OF THE SALE OF VOTES.

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EVIDENCE

IN THE INVESTIGATION OF THE SALE.
OF VOTES.

MORNING SESSION.

August 19th, 1891.

Meeting called to order by Chairman Oattis. Mr. Jack J. Spalding called and sworn.

By Mr. Trammell: We have heard it rumored over the State that eight men either went or sent their names to the headquarters of Mr. Calhoun, during the last senatorial election, and proposed to sell out for a price sell their votes. Do you know anything of it?

Mr. Spalding: I do not know anything of one man or eight men sending their names there, and offering to sell out or anything of that kind, beyond a great many rumors that floated through the headquarters at that time. I was with Mr. Calhoun during the whole race, and heard a great many rumors, but my understanding of it was not that they came direct from the members of the Legislature, but from parties claiming that if certain influences were brought to bear, if certain men were brought here, and certain sums of money were put up, that votes could be influenced for Mr. Calhoun. I never heard of any legislator sending his name there, or any one coming who purported to speak for a member of the Legislature that he could buy his vote.

Mr. Trammell: There were no names discussed at the headquarters and the prices with them?

Mr. Spalding: Well, I would not say in connection with rumors that no names were discussed; of course this discussion would relate to particular men, but no man at any particular price. For instance, somebody would come in there and say that so and so's vote can be controlled at such and such a price; no direct proposition, but that if the money was put up and certain men brought here, certain votes could be controlled, and the expression would be "that a certain fellow was the 'Moses' of such a voter, if you would furnish the money for him to come here and flx him up, you could influence the vote."

Mr. Warren: Was the impression made upon your mind that that influence that could be brought to bear upon this gentleman was legitimate or illegitimate?

Mr. Spalding: There is nothing that you could put your finger on. The only thing that could throw any light on that would be the sums of money that were mentioned. They would not say that this or that fellow would get any of the money. I want to say this, in justice to Mr. Calhoun's position, and I, perhaps, was in a better position to know than anybody else his position in that race. In the first place I had never been a supporter of General Gordon's, although my partner, Mr. King, was Secretary of General Gordon's State Committee in the race for Governor, and my cousin, Dr. Spalding, was the Chairman of the State Committee; I was for Major Bacon for Governor. My political views ran a little different, and when General Gordon made his speech here last August in the State House, Mr. Calhoun was in New York. I immediately sat down and wrote to him, and told him that I knew his views in the pending issues, and that if he would come home and stump the State of Georgia, that he could be elected senator. The substance of his answer to me was, that he was Governor Gordon's friend; that while he believed that the Governor had made a mistake, he was sorry of it, but that he was his friend, and did not want to oppose him. A short while before the Legislature met, Mr. Calhoun came back here, and he found out that he had been "slimed" all over this State with the innuendo that he was preparing to control the Legislature in the interest of himself for the senate and in the interest of the railroads. It was said that he had bought up this man and that man and this and that influence, and when he came here, his friends began to come to him, and say to him that this attack had been made on him and them, and he had to stand by them. I know that he did not look upon it as his race, because I heard him tell them that it was more the race of the Alliance; that if they nominated him, all right, and if not, all right, that he would go in the lead or in the ranks; he was nominated and entered the race. After he got into the race, I heard him state on three or four occasions, when these rumors were being discussed at his headquarters, that he would not take that place if it cost him one dollar. He made the race at personal sacrifice and against his inclinations. I knew that his view of holding public office was the same as that of his grandfather; that a man who was elected to a public office ought nct to be connected with any business interest that might come in contact with his duties as an office holder, and I know that a lot of his friends urged him to make the announcement that he would sever his connections with the railroads in case he was elected, and he said that he would not make the announcement, because it would appear that he was making a bid for votes. I know some of his friends criticized him. I know further than that, that one gentleman came there, and in my presence took him privately aside and told him, "If you will permit it, I will put up \$10,000 in cash right here, to help run your campaign; I am your friend, and will put the money up." Mr. Calhoun told him he had no need for any such sum of money; that he had only his legitimate expenses to pay, and that he was not running that sort of a campaign. I concurred in these views.

Mr. Warren: It is not that Mr. Calhoun tried to get votes, but that certain parties did come to his office, and say that they could get eight or ten votes if they had \$3,500?

Mr. Spalding: No, sir; the extent of that was that it was rumored at the headquarters that certain parties could be influenced if money was put up, and Mr. Calhoun did not go into the details of it, because he laid down the platform that he did not intend to spend any money that way.

Mr. Warren: What impression did it make upon your mind when you heard the rumor about the eight or ten men?

Mr. Spalding: There were some names in that list, speaking plainly, that were of such prominence and standing in the Legislature, and men of such character, that the first impression made upon my mind was that it was a scheme of some outsiders to make some money.

Mr. Warren: It did not strike you that these men were willing to sell their votes?

Mr. Spalding: Some of them I knew to be men of high tanding, and I was amazed that any one would take the liberty of discussing their names in such a way. The discussion made an impression on my mind, and I noticed to see how these parties voted. There was not a single one of those votes cast for Mr. Calhoun.

Mr. Oattis: You were not impressed, then, in that discussion with the idea that it was authorized by any particular member of the Georgia Legislature?

Mr. Spalding: No, sir; in fact it struck me thiswise: I had never known about such a transaction, but from the nature of it, I did not suppose that seven or eight men would bundle themselves together and offer themselves They would not bundle themselves up like a bunch of radishes, to sell themselves in a lump. will understand that the air was perfectly full of rumors; Norwood made a speech, casting innuendoes and saying that the Terminal Company was behind Mr. Calhoun, and of course counter-rumors reached us about what certain gentlemen were doing in General Gordan's headquarters; how certain influences were being brought to bear there, but Mr. Calhoun had laid down the platform that he did not intend to spend a dollar that way, and I do not believe that it would have been possible for him to have done so without my knowing of it. I was at his headquarters, and I know that he felt very keenly these innuendoes. I do not know but that question about a list of names grew out of some one taking a list of rumors down, to see how they would eventually vote. do not know that any question ever came up that anybody came and presented so many names. There was an ordinary writing blotter that was turned over on the white side, that had on it names that were discussed in connection with rumors that had drifted in there. I think that is where the question about a list sprung from.

Mr. Warren: I believe in all campaigns, they make a list of doubtful voters?

Mr. Spalding: Yes, sir.

Mr. Trammell: Was that list you speak of a list of purchasable voters or of doubtful voters?

Mr. Spalding: It was simply a list in connection with rumors. Some ody would say that so and so can influence this man, and that so and so can control that man.

How the list was made up, or who wrote it, I do not know. I saw on the back of the blotter a lot of names, in number somewhere in the neighborhood of this number that you mention. There were men on there that I understood had instructions to vote certain ways. I was very much impressed by some of the names being on a list of that kind, as being men who stood high, and I do not believe that they could be corrupted in any way, and for that reason I looked upon it as the result of rumors.

Mr. Oattis: Did I understand you to say that among that number were some who were instructed by their constituents to vote a certain way?

Mr. Spalding: That was my impression of it. That was one of the reasons that I did not think it a list that could be influenced, but that it was an effort of outside people to get hold of money under the idea that they could influence people.

Mr. Oattis: The statement that was made was that this number of men gave it as a reason that they were not instructed by their constituents, and therefore they felt at liberty to dispose of their votes. You heard nothing of that kind?

Mr. Spalding: No, sir; I never heard any such thing. No man ever came to the headquarters who said he had authority to dispose of any vote for four or five hundred dollars, or any other amount.

AFTERNOON SESSION.

August 19th, 1891.

Mr. E. P. Willis, sworn, testifies as follows:

Mr. Warren: I suppose you know why you have been asked to come before this committee. It is touching charges of corruption against certain members of the General Assembly.

Mr. Willis: I know nothing except what this instrument shows (handing Mr. Warren the subpœna); that is the reason I am here. This is authoritative, I suppose?

Mr. Warren: Yes, sir.

Mr. Willis: That is the Secretary's signature?

Wr. Warren: I suppose it is.

Mr. Willis: It is authorized, and he had full authority to sign the same. I do that to show you that this evidence is compulsory.

Mr. Warren. Under a resolution, we had perfect right to send for and require the presence of witnesses. Of course, we hope that all testimony given will be given freely and voluntarily.

Mr. Willis: I just want it understood that I did not volunteer to come here and give my testimony.

Mr. Trammell: You received a summons before that?

Mr. Willis: Yes, sir.

Mr. Trammell: Why did you object to the first summons?

Mr. Wlllis: I objected to it because it read thus: "You are hereby REQUESTED to be and appear." I did not propose to come on an invitation. The last summons was "You are hereby COMMANDED to come."

Mr. Trammell: You are no voluntary witness?

Mr. Willis: No, sir.

Mr. Warren: You are aware that certain charges have been circulated throughout the State that members of this General Assembly offered their votes, or caused them to be offered, for sale at the last Senatorial contest? Please give us a full statement of everything you know touching those charges.

Mr. Willis: This is an embarrassing condition to put a gentleman in from what I have learned. But if it moves heaven and earth, I am here to tell you the truth and nothing but the truth. Sometime in February, I disremember the exact date, Col. Livingston had an appointment to make a speech, and he got off the cars at Ellerslie, Ga. There was no one met him, to carry him over to the place. I volunteered to carry him over to the place of appointment, and in the ride, I and him together, I remarked to him, "The boys down here say you Alliance fellows tried to defeat Gordon with Norwood and with Judge Hines, and they say you finally had to pitch on to Calhoun because he was a moneyed man; the Gordon men say because he could buy his way in there; that is what they charged." He said, "When you get to talking about that I will show up something on that line," and he says that there were seven men, members of the Legislature, that offered-he said thus: that there were seven men there that said they believed that Calhoun would make as good representative for Georgia Gordon, and that their constituents had not instructed them about it neither way, and say that if you gentlemen will give them \$500 apiece they will go for Mr. Calhoun; and that Mr. Calhoun remarked to them, "Gentlemen, I do not propose to spend a dime in this contest." And he said furthermore, "I know of another one that came around and said that he rode here on horseback, and he said, 'Now, if you gentlemen will give me \$250 for my horse, bridle and saddle, and let me go back home on the cars I am your man;" and he said, "All I know about this matter is that these seven or eight men, every one of them voted for John B. Gordon." That is my testimony. He told me that, and it seemed that he was ready to make this appear as facts.

Mr. Trammell: Did he say whether or not those men

had approached him? Did he say they came to him or to Mr. Calhoun?

Mr. Willis; I understood him to say that they come to both of them together, and he said that he had their names. That is what he told me; he said, "I am prepared to show up." He told me that he had the names of those eight men. That is my testimony. I understand from the *Constitution* this morning that he denies it. Is that so?

Mr. Warren: Is it possible that he said to you that these were rumors floating around Atlanta? Instead of saying to you that that he knew these seven or eight men had offered their votes to Mr. Calhoun, is it possible that he said to you that it was rumored around Atlanta or Mr. Calhoun's headquarters that there were eight men who had offered their votes for sale?

Mr. Willis: I did not understand it as any rumor; I did not understand it that way. I said that he had the names of the representatives and members of the Legislature who had offered to sell their votes and said he was prepared for an investigation. He said, "if they come to talking about Mr. Calhoun that way, I can show up something, and I could show up that he had chance to buy them."

Mr. Trammell: You said that he said that if "they," who are "they?"

Mr. Willis: The Georgia Legislators, or maybe outsiders who accused him of buying. He said, "if they want to show up, we can show up something ourselves." Understand, he did not accuse the Gordon men of buying these eight men; he said that Mr. Calhoun could have gotten them at those figures, and that he knew that they had voted for Gordon. They either offered themselves to him directly or through an agent, not to him, but him

and Mr. Calhoun. He said he had the names of them, and the man who offered to take \$250.00 for his horse, and let him go back on the cars.

Mr. Trammell: It is charged by Colonel Livingston's friends that he has enemies in the Alliance, and that these enemies precipitated this investigation. Please state whether you have been in line with him, or opposed to him?

Mr. Willis. I have been tied to him as strong as any man in Georgia. I am yet, but his principles—I am an Allianceman, true and tried, and I think he is on the right track, and I was a true Calhoun man.

Mr. Trammell: You did not relate this conversation that you had with Colonel Livingston to Mr. Oattis?

Mr. Willis: No, sir; I did not relate it to him. He heard it somewhere else, and then came to me about it.

Mr. Trammell: You did not tell it, then, to other parties, in order to get Colonel Livingston into trouble?

Mr. Willis: I just told it to show that Mr. Calhoun did not buy a vote, and the other side might have done so.

Mr. Trammell: You have been a Livingston man?

Mr. Willis: I have.

Mr. Trammell: This evidence is not voluntary?

Mr. Willis: No, sir. I am a Pat Calhoun man up and down. He is the greatest man in the State to represent Georgia and the interests of Georgia, in my humble opinion, and I was against Gordon.

Mr. Willis went on to say that he was of the opinion that he ought to be paid by the Legislature for his actual expenses coming and going and while here, that he was out by the trip; that if he had known that he would not be so paid, he would have allowed the sheriff to come

after him; that it was only right and just to him that his expenses be paid; that he did not propose to waste his money to exonorate or condemn legislators, and if he had not had the assurance of the Chairman of this committee that his expenses would be paid, he would not have come before the committee.

Members of the committee present: Mr. Warren, Chairman, Mr. Trammell and Mr. Barrett:

Mr. Warren: I suppose you are aware, Mr. Calhoun, that this committee is to investigate charges that members of the Legislature caused to be offered, or offered to sell their votes during the last senatorial contest for United States Senator.

Mr. Calhoun: I understand that to be the purport of it.

Mr. Trammell: Mr. Calhoun, it is stated that eight men approached you, or some of your friends, and proposed to sell out to you for a consideration.

Mr. Calhoun: That is not true. No member of the Georgia Legislature, either directly or indirectly, approached me, and I certainly authorized nobody to approach any member of the Georgia Legislature in regard to any sale or purchase of influence in the senatorial race.

Mr. Trammell: Were the names of any members sent to your headquarters?

Mr. Calhoun: There were a number of names discussed. I think it proper for me to say that there were rumors, that if I would reach out and seek to control certain outside influences in the State, that I could control votes of certain members of the Legislature; in short, that he would bring men here to Atlanta to aid me; they could control members of the Legislature. At no time would I authorize any proposition to be made, even to pay the expenses of gentlemen to come here to use their

influence with the Legislature in my behalf. It is proper for me to say that I am glad of the opportunity of setting this matter finally and definitely at rest. I have felt that few gentlemen in this country have ever been done such gross injustice as has been done me. I desire to say that never for one moment did I ever think of exercising any undue influence upon any member of the Georgia Legislature. When I returned from New, York only ten days or two weeks before the Legislature met, I found that there had been rumors circulated throughout the State, that I was seeking by corruption to control the Georgia Legislature, and one of the things that influenced my course in allowing my friends to use my name, was that I might stand in the open light of publicity, and let any charge that was to be brought be made publicly. Of course I recognized that those rumors were circulated for political purposes, and I felt that it was certainly a very cruel insinuation to spread, that a gentleman would try to control his election by corruption. So scrupulously particular was I, that I think some of my friends felt that I did not take that active interest in my own behalf that I ought to have done, such as sending for men from different parts of the State to come here and control members of the Legislature in my interest. They said that it was not only being done by my opponents, but that it was perfectly legitimate. I had but one reply to make to any suggestion of that sort, and that was that I would not spend a dollar, or authorize any friend of mine to spend a dollar, to get any position within the gift of the people of Georgia. The air was full of rumors that this Legislature could be controlled by money. I not only did not try to do so, but I did not believe it could be thus controlled.

Mr. Trammell: So it is not true that names of seven or eight men were sent to your office, the present office of

Calhoun, King & Spalding, as being men who could be paid \$500.00 apiece to influence their votes for you?

Mr. Calhoun: No, sir; nor at any stated price. This much was said, that there were certain members who could be controlled by my spending a few thousand dollars in bringing men here who could by their influence control them.

Mr. Barrett: I think he has covered the ground. But there was one rumor, that there was one representative had a horse in town, and it was said if Mr. Calhoun would pay him a certain price for that horse, he would secure his vote, but that was idle talk.

Mr. Calhoun: I heard a rumor that if I would by a certain kind of horse for a certain price, that I could get a vote. It was perfectly ridiculous the number of rumors that were started around here.

It seems to me proper, since this matter has come up, that I should define my position to this committee (and I am glad of the opportunity), in the last senatorial race. I never looked upon myself as a candidate. At first, in the early part of the canvass, I had been strong for Gen. Gordon. After the breach with the Alliance, I determined to take no part in the race, although Col. Livingston and the other leaders of the Alliance, knew my personal relations with Gen. Gordon, and that I was for him. Still later, when my friends were attacked, through me, on the ground that I was seeking corruptly to control the senatorial election, I felt it my duty to side with them, and to take the position that if the Alliance chose to nominate me, I would accept the nomination. I felt that this was the correct position for me to take, owing to the attacks that has been made upon me, and the fact that I was in sympathy with these people. I doubt if any man has been in a race for public position in this State, who

has reached out and brought as few influences to aid them, as I brought in this canvass. I took my headquarters at the Kimball house, for the purpose of having an opportunity of meeting the members of the Legislature, and to uphold and support those who were pressing me, but I said to them all, "this is not my fight, if the Alliance nominates and elects me, it is all right; if they do not, it is all right." I was opposed to the Alliance Caucus nominating anybody; I felt it was an unwise thing, and I said to my friends that I would not take the nomination unless it was unanimous, and they told me that it was. Then for the first time I looked upon myself as a candidate. I want to say further, because I confess it has cut me, although I have not gone in the public press to deny them, that I was greatly outraged at the rumors which were circulated to injure me for political purposes. I have felt it as much beneath my dignity to deny such reports as it was unnecessary for me to assert publicly that I was an honest man.

COL. L. F. LIVINGSTON WAS NEXT CALLED AND SWORN.

Mr. Trammell: It has been said that eight men had either given you their names, or approached you, or sent their names to the headquarters of Mr. Calhoun, as being willing to sell their votes for a stated price, in the last election for United States Senator.

Mr. Livingston: I know nothing of that, sir. If they did send their names there, or if they were there themselves to make that proposition, I am not aware of the fact. Of course you ask me what I know about the matter.

Mr. Warren: Did you ever make a statement in Georgia, that you knew that that had been done. The reason I ask this question is because it seems that this investiga-

tior grew out of a conversation you had in Columbus with certain parties.

Mr. Livingston: I have not been in Columbus since the election for United States Senator.

Mr. Warren: Have you ever made a statement anywhere in Georgia, that you knew it to be a fact that certain members of the Legislature had ever offered or caused to be offered their votes for a consideration?

Mr. Livingston: No, sir; I never made such a statement. And in the next place, if it was a fact, I do not know anything of it. I may have said that I was present when the rumor was discussed. I was not only present when the rumor was discussed in Mr. Calhoun's presence, but I was present when his friends criticized him pretty thoroughly for not doing what Gen. Gordon was doing, and that was sending throughout the State, and getting men to come here to aid him.

They took the ground that it was legitimate, and that Gordon was doing it.

I do not know how many rumors I heard, but some of them were very ugly, but they were nothing but rumors. There have been at least a hundred gentlemen come to me and asked me in a confidential manner (they were Alliancemen generally), "Did Mr. Calhoun use any money in his senatorial contest? It has been charged that he did use it, and it has been charged that you sold your influence to him, and that McCune sold his influence to him." I always said, "No, I did not think Mr. Calhoun used a dollar improperly." Once or twice, while I was present with Mr. Calhoun, these rumors were spoken of, and every time Mr. Calhoun very emphatically said, "I have not used a single dollar improperly, and I will not do it." It was just simply in answer to those questions, and to satisfy the Alliance people especially, that I even referred

to those rumers at all. I had no other way of ascertaining that he refused to use money except in that way. Whether Mr. Calhoun ever had a direct offer from any one connected with the Legislature, I do not know.

Mr. Trammell: Those rumors you speak of were used in connection with names of members of the Legislature who could be bought?

Mr. Livingston: I never heard the names used. One of the rumors was that a certain influential gentleman could be brought here, and that several members, through him, could be induced to vote for Mr. Calhoun. It was in two different ways. One was, that certain members had signified their indifference as to their choice between Gordon and Calhoun, and that a little money spent on friends, to be brought here, and their influence brought to bear upon those men, that they could be very easily brought to vote for Mr. Calhoun; and I heard Mr. Calhoun say, when that matter was brought to his attention, "I will do no such thing." The names were not used in my presence. Perhaps there are other gentlemen who can tell you their names.

Mr. Trammell: Did a member ever approach you, who stated that he had a horse he wanted to sell for a certain price, and that if Mr. Calhoun would buy him at that price, that he would vote for him?

Mr. Livingston: There were all kinds of rumors. It was said that Mr. Calhoun had paid Larry Gantt \$50,-000.00, and other large sums to different persons, and they were talking about it, and some member of the Legislature said, "I ride a horse, and if Mr. Calhoun will give me \$2,000 for him, I will sell out." I did not hear a member say that, but it was reported to me as having come from some member of the Legislature. I was present when the remark was reported in the room, and

it was laughed about. I did not take it seriously, and suppose if it was ever said, it was said jokingly.

They had friends at home who could control them, and the proposition was that if a certain amount of money was raised, I think two or three thousand dollars, and these men were brought here, they could make them decidedly in favor of Mr. Calhoun, legitimately and without any corrupt means. The money that was to be used, was to be used on friends on the outside. It did not make the impression on me that these eight men were corrupt. I would like very much to know (I do not know who the gentleman is) who said that I was present when the offer was made by seven or eight men to sell their votes—but I would like very much to know of them.

Mr. Trammell: It is said that it was a man about Columbus.

Mr. Livingston: I have not been to Columbus, but have been near there; I have been down to Geneva, as near, I think, as I have been to Columbus. I suppose this misunderstanding grew out of my using the expression, that I was present when the offer was made to Mr. Calhoun to send abroad and get help. Whoever heard me speak of it, simply heard that.

Mr. Trammell: Do you know of General Gordon using any money, or of his friends doing so?

Col. Livingston: I have heard rumors.

Mr. Barrett: This thing is to be investigated, and we might as well investigate him.

Col. Livingston: I will say this much, that two or three judges of the courts adjourned their courts, so that the lawyers could help General Gordon, and that certainly Gordon had a very decided advantage of Calhoun in that way; and it was rumored that Gordon was spend-

ing money very freely in that way, and Mr. Calhoun's friends thought that he ought to do the same thing. I saw a great many old soldiers and gentlemen from all sections of the State of Georgia here, at work for General Gordon. I saw them here myself, and heard tham working for General Gordon, but I do not know whether they were paid for it or not. It was rumored that there were ladies here on the same mission; those rumors were all abroad on the streets, but I do not know the truth of them. It was rumored also that General Gordon, for several nights before the election, especially the night preceding the election, had taken a great many members of the Legislature to his private house, that he had used every argument possible to induce them to support him. I do not know anything about those rumors, I was not there, and do not know whether they were true. I want to say this, that the air was so full of rumors of sales and bargains, that a man could not turn himself in any direction without hearing of them. I heard Mr. Norwood make a speech in which he said that there were sixty-nine members of the Alliance that were improperly influenced.

Mr. Warren: I suppose you know of your own know-ledge that no member of the Legislature approached you, and said that Mr. Calhoun had given him \$400.00 for his vote? They claim that there were eight members of the Legislature offered to sell their votes for \$400 apiece.

Mr. Livingston: No member of the Legislature ever hinted such a thing to me, and I never hinted such a thing to one of them. Not a single member ever approached me on the subject. I told you that there were seven or eight men who could have been controlled by Mr. Calhoun, by the use of a certain amount of money to be used in bringing others here, but their names were not mentioned in my presence. If their names were ever

mentioned, I have forgotten them. I approved of Mr. Calhoun's course decidedly, and I thought if he was elected United States Senator, that he ought to do so without any unfair means, or the unlawful use of money, or any other consideration.

TESTIMONY OF F. D. WIMBERLY,

BEFORE BRIBERY INVESTIGATION COMMITTEE.

August 26, 1891.

Present: Messrs. Barrett, Oattis, Warren and Trammell.

Mr. Oattis: Mr. Wimberly, it has been reported to this committee that you have said that you were present during the senatorial canvass here, and that you heard of a member of the Legislature who proposed to sell out, and that you went to him and made arrangements with him. Please state if this occurred, and what you know in reference to it.

Mr. Wimberly: I was here during the senatorial contest, from beginning to end. I heard some rumors as to matters of that sort. I never stated to any man that there was a member of the Legislatnre wanting to sell out, or anything of that sort. The most that I said, was that I judged from the conversation I had with one man, that he might be approached, and that was merely a suspicion.

Mr. Oattis; You have no positive evidence then that any member did offer to sell out, under any circumstances?

Mr. Wimberly: No, sir. I want to say this, though (I do not know that that ought to go in this testimony, but you can use your judgment about that) I heard something of rumors about a bat c h of the legislators could

be approached. I did not pay any heed to that; I did not set any store about it; and I went home, and they asked me about it, and I gave it as my judgment that I did not believe any sold his vote. If any money was used in corrupting the legislators, I did not see any of it myself; it was done in a way that I could not see, As to all those other matters, I do not know what transpired. Touching this question, I have no testimony on that for you.

Mr. Oattis: You have never on any occasion said that you approached a certain member, and made an arrangement with him, by which you could purchase his vote?

Mr. Wimberly: No, sir.

Mr. Oattis: And that you carried the matter to Mr. Calhoun, and he refused to advance the money?

Mr. Wimberly: No, sir. I will put that in this way: I said to Mr. Calhoun that I suspected that there was a member of the Legislature who if approached by a man who knew how to work such things, that he could be managed with money. While I did not approve of anything of that sort, yet I was hot and wanted to carry my point, and if Mr. Calhoun could manage for some one else to get the vote, I did not care. I will say this to Mr. Calhoun's credit: He made me feel very sheepy in the answer he gave me. He raised himself up to his loftiest height, and with all the power of his soul and body declared to me that if he never got to the United States Senate except by the use of one corrupt dollar, so help him God, he would never get there, and that if he could not get there any other way except by honest means, he would never go. It all grew out of my suspicion that some one might be won over by money, and it was merely a suspicion.

Mr. Trammell: You are a lecturer for one of the Congressional districts?

Mr. Wimberly: Yes, sir; Third Georgia.

Mr. Trammell: Have you ever said in any address that you made to the Alliancemen, or people of your district, that, if Mr. Calhoun had wanted to in that way, he could have bought his election?

Mr. Wimberly: No, sir; such a statement coming from any man is wholly untrue, and was maliciously used, because I never dreamed of saying such a thing.

Mr. Trammell: Did you ever tell a Mr. Graham, of Dodge county, that you heard, while here, that a certain member of the Legislature would sell his vote for one hundred dollars?

Mr. Wimberly: No, sir.

Mr. Trammell: You never approached a member on the subject?

Mr. Wimberly: No, sir; not one. I could not do such a thing as that if I wanted to, for I am not an adept in such things.

Mr. Trammell: Are you a minister of the gospel?

Mr. Wimberly: No, sir; I used to be. Mr. Graham wholly misunderstood me. I do not remember the conversation to which you allude, but I remember meeting a Mr. Graham, a lawyer, in Baxley. I suppose he is the gentleman you refer to. The only one I remember is this lawyer, and he and I talked a good while together one Sunday. If I mentioned it to him at all, it was with the idea that so far as I knew there was but one member of the Legislature that excited in me any suspicion that he was purchasable, and I might have said that one hundred dollars, or such a matter, might get his vote. I never approached any man, and I would not have done it. I regard that just as I would the virtue of a woman; I might believe that a woman could be seduced, but I would not be the man to do so.

Mr. Trammell: You spoke awhile ago about rumors concerning seven or eight certain members of the Legislature that could be bought. State to the committee how you got those rumors.

Mr. Wimberly: I just heard them floating around Mr. Calhoun's headquarters. I will state this to you, if it will satisfy you, I have read the testimony of some of the gentlemen you have had here, and they know a plagued sight more about it than I do, for I did not bother with it. In reading the transactions of your committee I have learned a good deal more about it than I ever knew before. The extent of those rumors I did not have a proper conception of. It was a thing I did not pay any attention to.

Mr. Oattis: This particular member, to whom you allude, did he ever have any conversation with you, or in any way act so as to excite your suspicions that he might be bought?

Mr. Wimberly: I think this, before I answer that question, that you would be (if not exceeding your authority, certainly cramping my sense of justice) if you would force me to give suspicions.

Mr. Oattis: I do not want you to give me that, unless you have evidence for that suspicion.

Mr. Wimberly: Things happened that you might think that one of them might be approached by somebody It all amounted to this: that man was solid one day, and he was all wrong and wavering the next.

Mr. Trammell: How did he finally vote?

Mr. Wimberly: Is that question legitimate? for I will tell you I am not going to bring myself into an offensive relation, when I simply suspected. With suspicion I would not attack a negro. I wait until I can prove, and I don't think you ought to drive me any farther than that, because it is not fair.

Mr. Oattis: I would not have you injure the character of any member of the Legislature, unless you have evidence that will prove that he is guilty.

Mr. Wimberly: Do you insist on my answering that question, Mr. Trammell, and do you think I ought to answer it?

Mr. Trammell: If you think that he finally fell in with the man that had the largest pile, I would like to know who spent the money.

Mr. Wimberly: If I think anything, I am prepared to defend it. It was all a suspicion, and I wont commit myself on a suspicion. That man voted finally for Gordon. I am not sure but I ought not to have answered that question.

Mr. Warren: Do you say that you were suspicious because one day he was wavering and another day he was solid?

Mr. Wimberly: Yes, sir; that is what aroused my suspicions. He was a wavering man. That man never said a word to me by which I could criminate him, and all that happened between him and me it simply put in my mind the suspicion that a shrewd manipulator in such matters might seduce him. I did not have the least idea that I would attempt it, because I did not know how to do it if I had wanted to.

Mr. Trammell: You don't know enough about him to warrant you in going away from here and saying that Pat Calhoun could have bought one vote for one hundred dollars if he had been of the mind to have done so?

Mr. Wimberly: No, sir; I do not.

GEORGIA--Dodge County.

Personally appeared before me J. T. Graham and R. A. Harrell and W. E. Paul, who, upon oath, say that

they heard F. D. Wimberly say that during the senatorial race for United States Senator in November, 1890, he knew a member of the Legislature who offered his vote for sale for one hundred dollars; that said Wimberly further stated that he went to Hon. Pat Calhoun to get the money with which to make the purchase, and that said Calhoun refused to furnish money for that purpose. Deponents further say that said Wimberly further stated that he had the name of this member, but he would not expose him yet. Deponents further say that said Wimberly stated further that seven other members (eight, 8, in all) were offering their votes for sale, and that he intended to get their names.

R. A. HARRELL, W. E. PAUL, J. T. GRAHAM.

Sworn to and subscribed before me this 4th day of September, 1891.

C. J. Jones,

Notary Public Ex Officio, J. P.



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